IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTY FIFTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

-

WRIT PETITION NO : 18386 of 2004

Between:

S.Saya Goud S/o Saya Goud
Waddepalli Village, Varni Mandal, Nizamabad distirct.

..... PETITIONER

AND

1. Deputy Commissioner of Proh.& Excise Nizamabad Division, Nizamabad.
2. Superintendent of Porh.& Excise Nizamabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in rejecting the claim of the petitioner by Proc.No.E3/2721/2000 dt. 21/10/2003 is illegal, arbitrary against to the judgment of this Hon'ble High Court in 2002(6) ALT 288 in WP.No.19496/2001 dt. 15/02/2002 and set aside the same and consequently to direct the respondent to issue T.F.T.Licence to the petitioner forthwith in respect of Waddepalli village, Varni Mandal, Nizamabad District.

Counsel for the Petitioner:VADDEMANI SRINIVAS

Counsel for the Respondents: GP FOR PROHIBITION & EXCISE

The Court made the following :

ORDER:

Against the order impugned, an efficacious alternative remedy is available to the petitioner by way of an appeal under Section 63 of the Andhra Pradesh Excise Act, 1968.

Accordingly granting leave and liberty to the petitioner to workout the remedy under the statute, the writ petition is disposed of. No costs.

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25.10.2004

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To

1. The Deputy Commissioner of Proh.& Excise Nizamabad Division, Nizamabad.
2. The Superintendent of Porh.& Excise Nizamabad.

3. 2CCs to the G.P. for Prohibition and Excise, High Court Buildings, Hyderabad.

4. 2CD copies.